

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

CRIMINAL JUSTICE – Filing of Petition for Leave to Appeal to Supreme Court of India – Criminal Petition No.818 of 2009 on the file of High Court of Andhra Pradesh, Hyderabad – Orders – Issued.

LAW (LA&J-HOME-COURTS.D) DEPARTMENT

G.O.Rt.No. 1380

Dated:23-08-2010.

Read:-

From the Additional Director General of Police, A.P., Hyderabad, Letter
C.No.4725/C24/C27/CID/2009, dated.20.5.2010.

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ORDER:

The Additional Director General of Police, Andhra Pradesh, Hyderabad in the reference read above, has requested for filing of a petition for Leave to Appeal to Supreme Court of India, against the orders of Hon'ble High Court of Andhra Pradesh, in Criminal Petition No.818 of 2009.

2. It is reported that a case in Crime No.36/2000, U/s 420, 406, 409, 109 & 120 (B) IPC was registered in the CID PS, Hyderabad. The said case was registered on the compliant made by Sri Taranath Hedge, Branch Manager, Vijaya Bank, Narayanaguda Branch, stating that their Bank sanctioned pronote loans, each of Rs.10,000/- to 10 employees of the Gandhi Hospital. Later, the loan amount was transferred to the current account of A & A Associates. The loanees were neither paid the sanctioned amount nor house plots were registered in their names. After a lapse of 3 years, the Bank filed Civil Suit against the employees for recovery of the loan amount. Actually, the employees themselves had been cheated. After investigation, the CID has filed charge sheet before the Hon'ble XIIth Additional CMM Court, Nampally, Hyderabad, which was pending trial vide CC No.601/2006.

3. While the matter stood thus, N.Seetharama Reddy (A3) and N.Raghurama Reddy (A4), in the above Cr. No. have filed a Criminal Petition No.818 of 2009 in the Hon'ble High Court of Andhra Pradesh, requesting to quash the proceedings in CC No.601 of 2006 before the Hon'ble XIIth Additional CMM Court, Nampally, Hyderabad.

4. The Hon'ble High Court of Andhra Pradesh, for the reasons stated in their judgment dated: 18-03-2009 in Criminal Petition No.818/2009 has allowed the said Criminal Petition and quashed the proceedings in CC No.601 of 2006 before the Hon'ble XIIth Additional CMM Court, Nampally, Hyderabad.

5. While the Additional Public Prosecutor, High Court of Andhra Pradesh, opined that it is not a fit case to prefer an appeal in Hon'ble Supreme Court of India, the LA-cum-Special Public Prosecutor, CID, Hyderabad, vide his letter dated.29.8.2009 has opined that the Quash Orders passed by the Hon'ble High Court against A3 & A4 are not tenable in the eye of law.

6. Government have examined the matter in detail with reference to the opinion of Public Prosecutor, Andhra Pradesh High Court, the opinion of the LA-cum-Special Public Prosecutor, CID, Hyderabad, and the proposal of the Additional Director General of Police, Andhra Pradesh, Hyderabad, and decided to file a petition for leave to appeal before Hon'ble Supreme Court of India, New Delhi against the orders, dated.18.3.2009, of the High Court of Andhra Pradesh, Hyderabad, in CrI.M.P.No.818/2009.

7. Accordingly, a copy of letter of the Additional Director General of Police, Andhra Pradesh, Hyderabad, together with its enclosures in original are herewith forwarded to the Special Officer, Office of the Advocate-on-Records, for State of Andhra Pradesh at New Delhi to take immediate action to file an appeal before the Hon'ble Supreme Court of India New Delhi, together with a petition for condoning the delay against the orders of Hon'ble High Court of Andhra Pradesh, Hyderabad dated:18.3.2009 in Crl. P. No.818 of 2009.

8. The Special Officer, Advocate-on-Records, New Delhi is also directed to intimate the stage of the case from time to time till it is disposed off and acknowledge the receipt of this order and its enclosures immediately.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

R.RAMACHANDRA REDDY,
SECRETARY TO GOVERNMENT,
LEGISLATIVE AFFAIRS & JUSTICE.

To

The Special Officer, Advocate-on-Records,

A.P.Bhavan, Ashoka Road No.1, New Delhi. (we)

The Public Prosecutor, Hon'ble High Court of A.P., Hyderabad.

The Addl. Director General of Police, CID, A.P., Hyderabad.

The Commissioner of Police, Cyberabad, Ranga Reddy District.

SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER.